

Calendar No. 806

97TH CONGRESS
2D SESSION

H. R. 6946

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16 (legislative day, SEPTEMBER 8), 1982

Received; read twice and placed on the calendar

AN ACT

To amend title 18 of the United States Code to provide penalties for certain false identification related crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "False Identification
4 Crime Control Act of 1982".

5 SEC. 2. Chapter 47 of title 18 of the United States
6 Code is amended by adding at the end the following:

7 "**§ 1028. Fraud and related activity in connection with**
8 **identification documents**

9 "(a) Whoever, in a circumstance described in subsection
10 (c) of this section—

1 “(1) knowingly and without lawful authority pro-
2 duces an identification document or a false identifica-
3 tion document;

4 “(2) knowingly transfers an identification docu-
5 ment or a false identification document knowing that
6 such document was stolen or produced without lawful
7 authority;

8 “(3) knowingly possesses with intent to use un-
9 lawfully or transfer unlawfully five or more identifica-
10 tion documents (other than those issued lawfully for the
11 use of the possessor) or false identification documents;

12 “(4) knowingly possesses an identification docu-
13 ment (other than one issued lawfully for the use of the
14 possessor) or a false identification document, with the
15 intent such document be used to defraud the United
16 States; or

17 “(5) knowingly produces, transfers, or possesses a
18 document-making implement with the intent such docu-
19 ment-making implement will be used in the production
20 of a false identification document or another document-
21 making implement which will be so used;

22 or attempts to do so, shall be punished as provided in subsec-
23 tion (b) of this section.

24 “(b) The punishment for an offense under subsection (a)
25 of this section is—

1 “(1) a fine of not more than \$25,000 or imprison-
2 ment for not more than five years, or both, if the of-
3 fense is—

4 “(A) the production or transfer of an identifi-
5 cation document or false identification document
6 that is or appears to be—

7 “(i) an identification document issued by
8 or under the authority of the United States;
9 or

10 “(ii) a birth certificate, or a driver’s li-
11 cense or personal identification card;

12 “(B) the production or transfer of more than
13 five identification documents or false identification
14 documents; or

15 “(C) an offense under paragraph (5) of such
16 subsection;

17 “(2) a fine of not more than \$15,000 or imprison-
18 ment for not more than three years, or both, if the of-
19 fense is—

20 “(A) any other production or transfer of an
21 identification document or false identification doc-
22 ument; or

23 “(B) an offense under paragraph (3) of such
24 subsection; and

1 “(3) a fine of not more than \$5,000 or imprison-
2 ment for not more than one year, or both, in any other
3 case.

4 “(c) The circumstance referred to in subsection (a) of
5 this section is that—

6 “(1) the identification document or false identifica-
7 tion document is or appears to be issued by or under
8 the authority of the United States or the document-
9 making implement is designed or suited for making
10 such an identification document or false identification
11 document;

12 “(2) the offense is an offense under subsection
13 (a)(4) of this section; or

14 “(3) the production, transfer, or possession prohib-
15 ited by this section is in or affects interstate or foreign
16 commerce, or the identification document, false identifi-
17 cation document, or document-making implement is
18 transported in the mail in the course of the production,
19 transfer, or possession prohibited by this section.

20 “(d) As used in this section—

21 “(1) the term ‘identification document’ means a
22 document made or issued by or under the authority of
23 the United States Government, a State, local or for-
24 eign government, or an international governmental or
25 quasi-governmental organization which, when complet-

1 ed with information concerning a particular individual,
2 is of a type commonly accepted for the purpose of
3 identification of individuals;

4 “(2) the term ‘produce’ includes alter, authenti-
5 cate, or assemble;

6 “(3) the term ‘document-making implement’
7 means any implement or impression specially designed
8 or primarily used for making an identification docu-
9 ment, a false identification document, or another docu-
10 ment-making implement;

11 “(4) the term ‘personal identification card’ means
12 an identification document issued by a State or local
13 government solely for the purpose of identification; and

14 “(5) the term ‘State’ includes the District of Co-
15 lumbia, the Commonwealth of Puerto Rico, and any
16 other possession or territory of the United States.

17 “(e) This section does not prohibit any lawfully author-
18 ized investigative, protective, or intelligence activity of a law
19 enforcement agency of the United States, a State, or a subdi-
20 vision of a State, or of an intelligence agency of the United
21 States, or any activity authorized under title V of the Orga-
22 nized Crime Control Act of 1970 (18 U.S.C. note prec.
23 3481).”.

1 SEC. 3. The table of sections at the beginning of chapter
2 47 of title 18 of the United States Code is amended by
3 adding at the end the following:

“1028. Fraud and related activity in connection with identification documents.”.

Passed the House of Representatives September 14,
1982.

Attest: EDMUND L. HENSHAW, JR.,
Clerk.

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